

MDL 1456 STATUS CHART – GOVERNMENT ENTITY CASES

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
State of Nevada v. Dey, Inc., et al., Case No. 3:06-539	n/a	Removed to D. Nev.	<ul style="list-style-type: none"> • July 24, 2007 – Order of Reference for Alternative Dispute Resolution <ul style="list-style-type: none"> ○ September 5, 2007 – Amended Order of Reference for Alternative Dispute Resolution
California ex rel. Ven-A-Care of the Florida Keys, Inc. v. Abbott Labs., Inc. et al.	03-CV-11226-PBS	Removed to C.D. Cal.	<ul style="list-style-type: none"> • January 17, 2006 – Defendant ZLB Behring LLC's Individual Memorandum of Law in Support of Defendants' Motion to Dismiss the First Amended Complaint <ul style="list-style-type: none"> ○ March 2, 2006 – Plaintiffs' Memorandum in Opposition to Defendant ZLB Behring, LLC's Individual Motion to Dismiss the First Amended Complaint ○ April 3, 2006 - Reply in Support of Defendant ZLB Behring LLCs Individual Memorandum of Law in Support of Defendants Motion to Dismiss the First Amended Complaint-in-Intervention ○ April 17, 2006 – Plaintiffs' Sur-Reply to Defendants' Joint and Individual Motions to Dismiss the First Amended Complaint • February 13, 2006 – Boehringer Ingelheim Pharmaceuticals, Inc.'s Motion to Dismiss and Joinder in Defendants' Motion to Dismiss the First Amended Complaint-In-Intervention <ul style="list-style-type: none"> ○ April 3, 2006 – Separate Reply in Support of Defendants' Joint Motion to Dismiss the First Amended Complaint in Intervention of Boehringer Ingelheim Pharmaceuticals, Inc. and Boehringer Ingelheim Corporation • April 11, 2006 – Notice of Proposed Case Management Order Pursuant to the Court's March 16, 2006 Ruling • April 28, 2006 – Stipulated Motion for Order Permitting Deposition of Harvey Weintraub (former Warrick Vice President) • July 26, 2006 – Plaintiffs' Motion for Leave to File Supplemental Submission in Response to the Court's Request for Claims Examples (submission attached) <ul style="list-style-type: none"> ○ August 4, 2006 – Defendants' Opposition to Plaintiffs' Motion for Leave to File Supplemental Submission in Response to the Court's Request for Claims Examples ○ September 12, 2006 – Plaintiffs' Supplemental Submission in Response to the Court's Request for Claims Examples ○ October 5, 2006 – Defendants' Unopposed Motion for Leave to File a Response to Plaintiffs' Supplemental Submission in Response to the Court's Request for Claims Examples (reply attached)

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California <i>ex rel.</i> Ven-A-Care of the Florida Keys, Inc. v. Abbott Labs., Inc. et al. (continued)			<ul style="list-style-type: none"> • July 24, 2007 – Order of Reference for Alternative Dispute Resolution <ul style="list-style-type: none"> ◦ November 15, 2007 – Amended Order of Reference for Alternative Dispute Resolution
U.S. <i>ex rel.</i> Ven-A-Care of the Florida Keys, et al. v. Abbott Laboratories, Inc., et al., Case No. 1:06-21303	n/a	S.D. Fla.	<ul style="list-style-type: none"> • July 11, 2006 – Conditional Transfer Order (30) transferring <i>Ven-A-Care of the Florida Keys, Inc., et al. v. Abbott Laboratories, Inc., et al.</i>, S.D. Fla., Case No. 1:06-21303, to D. Mass. <ul style="list-style-type: none"> ◦ July 26, 2006 – No Notice of Opposition filed • January 24, 2007 – Plaintiffs' "Notice to the Court of Motion Fully Briefed" <ul style="list-style-type: none"> ◦ January 25, 2007 - Abbott Laboratories, Inc.'s Opposition to Plaintiffs' "Notice to the Court of Motion Fully Briefed" • July 17, 2007 – Abbott Laboratories, Inc.'s Motion to Dismiss or Partially Dismiss the United States' First Amended Complaint <ul style="list-style-type: none"> ◦ August 24, 2007 – The United States' Opposition to Abbott Laboratories Inc.'s Motion to Dismiss ◦ August 24, 2007 – Relator's Opposition to Abbott Laboratories, Inc.'s Motion to Dismiss or Partially Dismiss the United States' First Amended Complaint ◦ September 17, 2007 – Abbott Laboratories, Inc.'s Reply Memorandum in Support of Its Motion to Dismiss or Partially Dismiss the United States' First Amended Complaint ◦ September 28, 2007 – The United States' Surreply to Abbott Laboratories Inc.'s Reply Memorandum in Support of its Motion to Dismiss • July 24, 2007 – Unopposed Motion by the United States' for Leave to File Post-Hearing Notice of Supplemental Authority Relating to Abbott's Motion to Compel Adequate Responses to Abbott's Discovery Requests <ul style="list-style-type: none"> ◦ August 2, 2007 - Abbott Laboratories, Inc.'s Unopposed Motion for Leave to File Post-Hearing Notice of Supplemental Authority in Support of Abbott's Motion to Compel Adequate Response to Its Discovery Requests • September 13, 2007 – Abbott Laboratories, Inc.'s Motion for a Preservation Order and Affidavit Regarding Spoliation Issues <ul style="list-style-type: none"> ◦ October 19, 2007 – United States' Response to Defendant Abbott's Motion for a Preservation Order ◦ October 26, 2007 – Abbott Laboratories, Inc.'s Unopposed Motion for Leave to File a Reply Memorandum in Support of its Motion for a Preservation Order and Affidavit Regarding Spoliation Issues ◦ November 9, 2007 – Abbott Laboratories, Inc. Renewed Motion for Leave to File a Reply Memorandum in Support of Motion for a Preservation Order and Affidavit Regarding Spoliation Issues

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Ven-A-Care of the Florida Keys, et al. v. Abbott Laboratories, Inc., et al., Case No. 1:06-21303 (continued)			<ul style="list-style-type: none"> • October 30, 2007 – Abbott Laboratories, Inc.’s Motion to Dismiss or Partially Dismiss the Relators’ Complaint <ul style="list-style-type: none"> ◦ November 29, 2007 – Plaintiffs’ Memorandum in Opposition to Abbott Laboratories, Inc.’s Motion to Dismiss or Partially Dismiss the Relator’s Complaint ◦ December 20, 2007 – Abbott Laboratories, Inc.’s Reply in Support of Its Motion to Dismiss or Partially Dismiss the Relator’s Complaint • November 7, 2007 – United States’ Motion for Leave to File its First Amended Complaint <ul style="list-style-type: none"> ◦ November 16, 2007 – Abbott Laboratories Inc.’s Opposition to the United States’ Motion for Leave to File its First Amended Complaint ◦ November 28, 2007 – The United States’ Motion for Leave to File a Reply to Abbott Laboratories Inc.’s Opposition to the United States’ Motion to Amend
Ven-A-Care of the Florida Keys, et al. v. Dey, Inc., et al., Case No. 05-11084	n/a	S.D. Fla.	

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
State of Arizona ex rel. v. Abbott Labs., Case No. 2:06-45	n/a	D. Ariz.	<ul style="list-style-type: none"> • August 11, 2006 – Plaintiff State of Arizona’s Motion for Remand <ul style="list-style-type: none"> ○ August 25, 2006 – Memorandum in Support of Defendants’ Opposition to Plaintiff State of Arizona’s Motion for Remand ○ October 24, 2006 – Order issued by Judge Patti B. Saris denying Motion to Remand to State Court ○ October 25, 2006 – Electronic Notice from the Court to Reopen Document #2974 Motion to Remand to State Court • November 9, 2006 – Defendant Dey, Inc.’s Supplemental Notice of Removal (<i>leave to file granted on November 2, 2006</i>) <ul style="list-style-type: none"> ○ November 13, 2006 – Plaintiff State of Arizona’s Response to Defendant Dey, Inc.’s Supplemental Notice of Removal • April 5, 2007 – Warrick Pharmaceuticals Corporation’s Motion for Reconsideration of the Court’s Order Relating to the Renewed Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Discovery <ul style="list-style-type: none"> ○ April 18, 2007 – State of Arizona’s Opposition to Warrick Pharmaceutical’s Motion for Reconsideration of the Order Regarding the Deposition of Harvey Weintraub
United States ex rel. Edward West v. Ortho McNeil Pharmaceutical, Inc. et al., Case No. 1:03-8239	n/a	N.D. Ill.	<ul style="list-style-type: none"> • December 20, 2006 – Order of Transfer with Simultaneous Separation and Remand • June 11, 2007 – Defendants’ Motion to Dismiss the Complaint for Lack of Subject Matter Jurisdiction <ul style="list-style-type: none"> ○ July 9, 2007 – Plaintiff’s Memorandum in Opposition to Defendants’ Motion to Dismiss the Complaint for Lack of Subject Matter Jurisdiction ○ July 23, 2007 - Reply Memorandum in Support of Defendants’ Motion to Dismiss Plaintiff’s Complaint for Lack of Subject Matter Jurisdiction ○ August 16, 2007 – United States’ Statement of Interest in Response to Defendants’ Motion to Dismiss Plaintiff’s Complaint for Lack of Subject Matter Jurisdiction ○ September 24, 2007 – United States’ Supplemental Statement of Interest Regarding Rockwell Int’l Corp., et al. v. United States

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
State of South Carolina et al. v. Abbott Laboratories, Inc., Case No. 3:06-2482	n/a	D.S.C.	<ul style="list-style-type: none"> • September 25, 2006 – Conditional Transfer Order (32) transferring <i>State of South Carolina v. Abbott Laboratories, Inc.</i>, D. South Carolina, Case No. 3:06-2482, to D. Mass <ul style="list-style-type: none"> ◦ November 27, 2006 - Notice of opposition to proposed transfer filed • July 24, 2007 – Order of Reference for Alternative Dispute Resolution <ul style="list-style-type: none"> ◦ July 30, 2007 - Objection of the States of Idaho, Illinois, Kentucky, Mississippi, and South Carolina to the Court's July 26, 2007 Order of Reference for Alternative Dispute Resolution ◦ August 17, 2007 – Defendants' Reply to the States of Idaho, Illinois, Kentucky, Mississippi, South Carolina, Pennsylvania and Ohio and the Counties of Erie, Oswego and Schenectady's Submissions Responding to the Court's July 26, 2007 Order of Reference for Alternative Dispute Resolution
State of South Carolina, et al. v. Dey, LP, Case No. 3:06-2914	n/a	Removed to D.S.C.	<ul style="list-style-type: none"> • February 7, 2007 – Final Transfer Order (33) transferring <i>State of South Carolina, et al. v. Dey, LP</i>, D. South Carolina, Case No. 3:06-2914, to D. Mass. • July 24, 2007 – Order of Reference for Alternative Dispute Resolution <ul style="list-style-type: none"> ◦ July 30, 2007 - Objection of the States of Idaho, Illinois, Kentucky, Mississippi, and South Carolina to the Court's July 26, 2007 Order of Reference for Alternative Dispute Resolution ◦ August 17, 2007 – Defendants' Reply to the States of Idaho, Illinois, Kentucky, Mississippi, South Carolina, Pennsylvania and Ohio and the Counties of Erie, Oswego and Schenectady's Submissions Responding to the Court's July 26, 2007 Order of Reference for Alternative Dispute Resolution
State of South Carolina, et al. v. Dey, LP, Case No. 3:06-2925	n/a	Removed to D.S.C.	<ul style="list-style-type: none"> • February 7, 2007 – Final Transfer Order (33) transferring <i>State of South Carolina, et al. v. Dey, LP</i>, D. South Carolina, Case No. 3:06-2925, to D. Mass. • July 24, 2007 – Order of Reference for Alternative Dispute Resolution <ul style="list-style-type: none"> ◦ July 30, 2007 - Objection of the States of Idaho, Illinois, Kentucky, Mississippi, and South Carolina to the Court's July 26, 2007 Order of Reference for Alternative Dispute Resolution ◦ August 17, 2007 – Defendants' Reply to the States of Idaho, Illinois, Kentucky, Mississippi, South Carolina, Pennsylvania and Ohio and the Counties of Erie, Oswego and Schenectady's Submissions Responding to the Court's July 26, 2007 Order of Reference for Alternative Dispute Resolution

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State of Utah v. Actavis US, Inc., et al., C.A. No. 2:07-870	n/a	D.Utah.	<ul style="list-style-type: none"> • November 20, 2007 – Conditional Transfer Order (40) transferring <i>State of Utah v. Actavis US, Inc.</i>, D. Utah, Case No. 2:07-870, to D. Mass <ul style="list-style-type: none"> ◦ December 3, 2007 - Notice of opposition to proposed transfer filed
State of Utah v. Abbott Laboratories, Inc., et al., C.A. No. 2:07-899	n/a	D.Utah.	<ul style="list-style-type: none"> • November 19, 2007 – Notice of Multidistrict Litigation <ul style="list-style-type: none"> ◦ November 21, 2007 – Notice of Potential Tag-Along Action • November 30, 2007 – Conditional Transfer Order (41) transferring <i>State of Utah v. Abbott Laboratories, et al.</i>, D. Utah, Case No. 2:07-899, to D. Mass <ul style="list-style-type: none"> ◦ December 10, 2007 - Notice of opposition to proposed transfer filed
State of Iowa v. Abbott Laboratories, Inc., et al., CA No. 07-461	n/a	S.D. Iowa	<ul style="list-style-type: none"> • October 25, 2007 – Conditional Transfer Order (39) transferring <i>State of Iowa v. Abbott Laboratories, Inc., et al.</i>, Case No. 4:07-461, to D. Mass.
The County of Orange v. Abbott Laboratories, Inc., et al., CA No. 07-2777	n/a	S.D.N.Y.	<ul style="list-style-type: none"> • April 18, 2007 - Conditional Transfer Order (38) transferring <i>The County of Orange v. Abbott Laboratories, Inc., et al.</i>, Case No. 1:07-2777, to D. Mass. • July 24, 2007 – Order of Reference for Alternative Dispute Resolution <ul style="list-style-type: none"> ◦ September 5, 2007 – Amended Order of Reference for Alternative Dispute Resolution

GOVERNMENT ENTITY CASES	MDL DOCKET NUMBER	ORIGINAL JURISDICTION	STATUS
Consolidated County Case (Civil Action No. 01-CV-12257-PBS): City of New York (S.D.N.Y.) County of Albany (N.D.N.Y.) County of Allegany (W.D.N.Y.) County of Broome (N.D.N.Y.) County of Cattaraugus (W.D.N.Y.) County of Cayuga (N.D.N.Y.) County of Chautauqua (W.D.N.Y.) County of Chemung (W.D.N.Y.) County of Chenango (N.D.N.Y.) County of Columbia (N.D.N.Y.) County of Cortland (N.D.N.Y.) County of Dutchess (S.D.N.Y.) County of Essex (N.D.N.Y.) County of Fulton (N.D.N.Y.) County of Genesee (W.D.N.Y.) County of Greene (N.D.N.Y.) County of Herkimer (N.D.N.Y.) County of Jefferson (N.D.N.Y.) County of Lewis (N.D.N.Y.) County of Madison (N.D.N.Y.) County of Monroe (W.D.N.Y.) County of Nassau (E.D.N.Y.) County of Niagara (W.D.N.Y.) County of Oneida (N.D.N.Y.) County of Onondaga (N.D.N.Y.) County of Ontario (W.D.N.Y.) County of Orleans (W.D.N.Y.) County of Putnam (S.D.N.Y.) County of Rensselaer (N.D.N.Y.) County of Rockland (S.D.N.Y.) County of St. Lawrence (N.D.N.Y.) County of Saratoga (N.D.N.Y.) County of Schuyler (W.D.N.Y.) County of Seneca (W.D.N.Y.) County of Steuben (W.D.N.Y.) County of Suffolk (E.D.N.Y.) County of Tompkins (N.D.N.Y.)	n/a	E.D.N.Y. N.D.N.Y. S.D.N.Y. W.D.N.Y.	<ul style="list-style-type: none"> • March 30, 2005 –County of Suffolk's Motion to Renew Its Second Motion to Compel the Production of Discovery From the Schering-Plough Corporation <i>sub judice</i> (Magistrate Judge Bowler) <ul style="list-style-type: none"> ○ April 6, 2005 – Schering Plough's Opposition to County of Suffolk's Motion to Renew Its Second Motion to Compel the Production of Discovery • March 3, 2006 –Individual Memoranda of Each Defendant in Support of Its Motion to Dismiss (1) the Consolidated Complaint of New York City and Plaintiff Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County (<i>individual memoranda filed by Bayer Corp., Sanofi-Synthelabo, Forest Labs., Inc./Forest Pharmaceuticals, Inc., Amgen, Inc., Pfizer Defendants, TAP Pharmaceutical Prods., Inc., Biogen Idec Inc., Wyeth, Novartis Pharmaceuticals Corp., EMD, Inc., Mylan Defendants, AstraZeneca Defendants, Endo Pharmaceuticals, Roche Defendants, Boehringer Ingelheim Corp., MedImmune, Inc., Merck & Co., Inc., Sandoz Inc., Ben Venue Labs., Inc., Par Pharmaceuticals, Boehringer Ingelheim Corp.</i>) <ul style="list-style-type: none"> ○ April 17, 2006 – Plaintiffs' Opposition to Defendants' Individual Memorandum in Support of Motion to Dismiss (1) the Consolidated Complaint of New York City and Plaintiff Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County ○ April 24, 2006 – Plaintiffs' Opposition to Individual Memoranda of Law in Support of Motion to Dismiss Filed by Eli Lilly & Co., Purdue Pharma LP, Chiron Corp. ○ May 11, 2006 – Individual Reply Memoranda of Each Defendant in Further Support of Its Motion to Dismiss (1) the Consolidated Complaint of New York City and Plaintiff Counties Other than Nassau and (2) the Second Amended Complaint of Nassau County (<i>individual memoranda filed by Forest Labs., Inc./Forest Pharmaceuticals, Inc., Amgen Inc., Aventis Pharmaceuticals, Biogen Idec Inc., Endo Pharmaceuticals Inc., Eli Lilly and Co., Wyeth, The Roche Defendants, Merck & Co., Bayer Corp., Pfizer Defendants, Sanofi-Synthelabo, Mylan Defendants, Boehringer Ingelheim, Ben Venue Labs., Inc., Purdue Pharma LP/Purdue Frederick Co./Purdue Pharma Co., AstraZeneca, EMD, Inc., Sandoz Inc., Novartis Pharmaceuticals Corp., MedImmune, Inc., Par Pharmaceuticals, Inc.</i>) ○ June 2, 2006 – Plaintiffs' Joint Sur-Reply in Further Opposition to Defendants' Individual Motions to Dismiss ○ September 19, 2006 – Notice of Filing of Brief of the Attorney General of the State of New York as Amicus Curiae ○ October 12, 2006 – Defendants' Response to the Brief of the Attorney General of the State of New York as Amicus Curiae and to Plaintiffs' Post-Oral Argument Submissions ○ November 1, 2006 – Plaintiffs' Notice of Supplemental Authority In Further Opposition to Merck's Motion to Dismiss ○ December 22, 2006 – Memorandum of Merck & Co., Inc., in Response to Plaintiffs' "Notice of Supplemental Authority In Opposition to Merck's Motion to Dismiss" (leave to file granted on December 20, 2006)

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County of Ulster (N.D.N.Y.), County of Warren (N.D.N.Y.) County of Washington (N.D.N.Y.) County of Wayne (W.D.N.Y.) County of Westchester (S.D.N.Y.) County of Wyoming (W.D.N.Y.) County of Yates (W.D.N.Y.)			<ul style="list-style-type: none"> ○ February 9, 2007 – Notice of Supplemental Authority in Further Opposition to Defendants' Motion to Dismiss the Consolidated Complaint of New York City and New York Counties Other than Nassau ○ February 23, 2007 – Captioned Plaintiffs' Memorandum in Opposition to Merck's Motion for Leave to File Memorandum in Response to Plaintiffs' "Notice of Supplemental Authority in Opposition to Merck's Motion to Dismiss" ○ June 22, 2007 – Defendant Chiron Corporation's Renewed Motion to Dismiss the Consolidated New York City and New York Counties First Amended Consolidated Complaint ○ June 22, 2007 – Eli Lilly and Company's Renewed Motion to Dismiss the New York Counties' First Amended Consolidated Complaint on the Ground that It Previously was Dismissed from this Case Pursuant to the Court's "Suffolk 13" Decision ○ June 22, 2007 – Defendant Endo Pharmaceuticals Inc.'s Renewal of Its Individual Motion to Dismiss the Consolidated Complaint of New York City and Plaintiff New York Counties Other than Nassau ○ June 22, 2007 – Amgen Inc.'s Renewed Motion to Dismiss the New York Counties' Complaint ○ June 22, 2007 – Motion to Renew Individual Memorandum of Defendants Purdue Pharma L.P., Purdue Frederick Company and Purdue Pharma Company's in Support of Their Motion to Dismiss the New York Counties' First Amended Consolidated Complaint ○ June 22, 2007 – TAP Pharmaceutical Products Inc.'s Motion to Renew Supplemental Motion to Dismiss and Reassert Reply Memorandum to Plaintiffs' Response to Motion to Dismiss ○ June 22, 2007 – Motion to Renew Separate Memorandum of Defendant Boehringer Ingelheim Corporation in Support of Its Motion to Dismiss ○ June 22, 2007 – Defendant Bayer Corporation's Notice of Its Renewal of Its Pending Individual Motion to Dismiss in Response to Plaintiffs' First Amended Consolidated Complaint ○ June 25, 2007 – Defendant Wyeth's Renewal of Its Motion to Dismiss the Complaint Filed by New York City and the New York Counties, Including Nassau County ○ July 11, 2007 – Plaintiffs' Omnibus Memorandum in Opposition to the Individual Defendant's Renewed Motions to Dismiss ○ July 18, 2007 – Reply in Support of Motion to Renew Docket #2199 Separate Memorandum of Defendant Boehringer Ingelheim Corporation in Support of its Motion to Dismiss ○ July 18, 2007 – Defendant Endo Pharmaceuticals Inc.'s Reply in Support of its Renewal of its Individual Motion to Dismiss the Consolidated Complaint of New York City and Plaintiff New York Counties Other than Nassau ○ July 18, 2007 – Ivax Corporation, Ivax Pharmaceuticals, Inc. and Barr Laboratories, Inc.'s

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Consolidated Counties Case (continued)			<p>Reply in Support of Joint Renewed Motion to Dismiss the Claims of Suffolk County in the New York Counties' First Amended Consolidated Complaint on the Ground that They Were Previously Dismissed from the Case Pursuant to the Court's "Suffolk 13" Decision</p> <ul style="list-style-type: none"> ○ July 18, 2007 - Defendant TAP Pharmaceutical Products Inc.'s Response to Plaintiffs' Omnibus Memorandum in Opposition to the Individual Defendant's Renewed Motion to Dismiss ○ July 19, 2007 - Defendant Wyeth's Response in Support of the Renewal of its Motion to Dismiss the Complaint Filed by New York City and the New York Counties, Including Nassau County ○ July 24, 2007 - Plaintiffs' Omnibus Sur-Reply to the Individual Defendant's Renewed Motions to Dismiss ● July 24, 2007 – Order of Reference for Alternative Dispute Resolution ● December 21, 2007 – Stipulation Extending the Time for Serono, Inc., N/K/A EMD Serono, Inc., to Answer, Move, or otherwise Respond to the Revised First Amended Consolidated Complaint ● January 10, 2008 – Plaintiffs' Motion to Compel Discovery from Defendant Boehringer Ingelheim Roxane Laboratories, Inc. <ul style="list-style-type: none"> ○ January 11, 2008 – Defendant Boehringer Ingelheim Roxane, Inc.'s Opposition to Plaintiffs' Motion to Compel Discovery ○ January 18, 2008 – Unopposed Motion for Extension of Time to File Reply Memorandum in Further Support of Plaintiffs' Motion to Compel Discovery from Boehringer Ingelheim Roxane Laboratories, Inc. ○ January 25, 2008 – Reply Memorandum in Further Support of Plaintiffs' Motion to Compel Discovery from Boehringer Ingelheim Roxane Laboratories, Inc. ● January 31, 2008 - Plaintiffs' Motion to Compel Production of Data for the Designated FUL Drugs from Defendants

MDL 1456 STATUS CHART – PRIVATE CLASS CASES

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action	Master File 01-CV-12257-PBS	D. Mass. pursuant to JPML Order	<ul style="list-style-type: none"> • May 3, 2004 – Plaintiffs' Motion to Compel the Production of Documents Created During the Relevant Time Period from Defendants Abbott Laboratories, AstraZeneca, Schering Plough, Sicor and Together Rx Defendants <i>sub judice</i> (Magistrate Judge Bowler) <ul style="list-style-type: none"> ○ May 17, 2004 – Certain Defendants' Notice of Opposition to Plaintiffs' Motion to Compel the Production of Certain Documents and Consent Motion for an Extension of Time ○ May 26, 2004 – Notice of Withdrawal of Plaintiffs' Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant Schering-Plough (<i>Note: withdrawal applies only to Schering-Plough</i>) ○ May 27, 2004 – Consent Motion for an Extension of Time to Oppose the Motion to Compel ○ May 27, 2004 – Opposition of the Together Rx Defendants to Plaintiffs' Motion to Compel the Production of Documents ○ May 28, 2004 – Notice of Withdrawal of Plaintiffs' Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant Abbott Laboratories (<i>Note: withdrawal applies only to Abbott Laboratories</i>) ○ June 8, 2004 – Notice of Withdrawal of Plaintiffs' Motion to Compel the Production of Documents Created During the Relevant Time Period Directed at Defendant AstraZeneca. (<i>Note: withdrawal applies only to AstraZeneca</i>) ○ June 9, 2004 – Plaintiffs' Reply Memorandum in Support of Motion to Compel the Production of Documents Created During the Relevant Time Period from the Together Rx Defendants ○ June 22, 2004 – Order granting Plaintiffs' Motion to Withdraw Motion to Compel Directed at Abbott Laboratories ○ Awaiting scheduling of hearing or ruling by Court as to Together Rx Defendants ○ February 23, 2005 – Third Party Schaller Anderson Inc.'s Objection and Motion to Quash Plaintiffs' Subpoena • June 14, 2005 – Defendant Sicor Inc. and Sicor Pharmaceuticals, Inc.'s Motion for Protective Order with Memorandum in Support <i>sub judice</i> (Magistrate Judge Bowler) <ul style="list-style-type: none"> ○ June 28, 2005 – Plaintiffs' Response to Sicor's Motion for

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Master Consolidated Class Action (continued)			<p>Protective Order</p> <ul style="list-style-type: none"> ○ July 7, 2005 – Motion for Leave to File Reply to Plaintiffs’ Response to Sicor’s Motion for Protective Order ● November 9, 2005 – Plaintiffs’ Motion for Order Exempting Defendant Abbott Laboratories from Any Order Refusing to Extend Deadline for Track Two Discovery <ul style="list-style-type: none"> ○ November 23, 2005 – Defendant Abbott Laboratories’ Opposition to Plaintiffs’ Motion for Order Exempting Defendant Abbott Laboratories from Any Order Declining to Extend Deadline for Track Two Discovery ○ December 1, 2005 – Plaintiffs’ Letter to Magistrate Judge Bowler Requesting Postponement of Hearing until Track Two Discovery Issues Resolved ● November 28, 2005 – Plaintiffs’ Motion for Clarification of Case Management Order #16 <ul style="list-style-type: none"> ○ November 30, 2005 – Response of Defendant Watson Pharma, Inc. to Plaintiffs’ “Motion for Clarification of Case Management Order #16” ○ November 30, 2005 – Certain Track II Defendants’ Request for Expedited Hearing ○ December 1, 2005 – Order re: Plaintiffs’ Motion for Clarification of Case Management Order #16 ○ December 9, 2005 – Track II Defendants’ Submission Regarding Discovery Schedule ○ December 9, 2005 – Watson Pharmaceuticals, Inc.’s Response to Court Order Regarding Discovery Schedule ○ December 9, 2005 – Defendants Baxter Healthcare Corporation and Baxter International Inc.’s Memorandum Regarding Track II Discovery Schedule ○ December 9, 2005 – Plaintiffs’ Memorandum in Support of Their Proposed Track II Discovery Schedule ○ December 15, 2005 – Plaintiffs’ Reply to Watson Pharmaceuticals, Inc.’s Response to Court Order Regarding Discovery Schedule ○ December 16, 2005 – Watson Pharmaceuticals, Inc.’s Motion for Leave to File Reply Memorandum in Support of Its Response to Court Order Regarding Discovery Schedule

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> • February 16, 2006 – Dey, Inc.’s and Abbott Laboratories’ Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 Pursuant to Fed. R. Civ. P. Rule 72(a) <ul style="list-style-type: none"> ○ February 22, 2006 – Plaintiffs’ Assented-to Motion for Leave to Reply to Dey, Inc.’s and Abbott Laboratories’ Objections to the Order of Chief Magistrate Judge Bowler Issued on February 4, 2006 to File Such Reply Until March 8, 2006 ○ March 8, 2006 – Plaintiffs’ Opposition to Dey, Inc.’s and Abbott Laboratories’ Objections to Chief Magistrate Judge Bowler’s Order Denying Further Discovery of Massachusetts Health Plans ○ March 8, 2006 – Plaintiffs’ Motion for Leave to File Plaintiffs’ Opposition to Dey, Inc.’s and Abbott Laboratories’ Objections to Chief Magistrate Judge Bowler’s Order Denying Further Discovery of Massachusetts Health Plans • February 21, 2006 – United Healthcare, Inc. and United HealthCare Insurance Co.’s Limited Objections to Magistrate Judge’s Order Granting Defendants’ Motion to Compel <ul style="list-style-type: none"> ○ March 10, 2006 – Defendants’ Response to Third Party United Healthcare, Inc. and United HealthCare Insurance Company’s Objections to Chief Magistrate Judge Bowler’s Order Granting Defendants’ Motion to Compel • May 8, 2006 – Plaintiffs’ Motion to Certify Claims with Respect to Track 2 Defendants <ul style="list-style-type: none"> ○ May 16, 2006 – Plaintiffs’ Motion for Leave to Join Harold Bean as a Plaintiff and a Proposed Class Representative <ul style="list-style-type: none"> ▪ May 19, 2006 – Track Two Defendants’ Opposition to Plaintiffs’ Motion for Leave to Join Harold Bean as a Plaintiff and Class Representative ▪ May 24, 2006 – Warrick Pharmaceuticals Corp.’s Opposition to Plaintiffs’ Motion for Leave to Join Harold Bean as a Plaintiff and Class Representative ○ May 16, 2006 – Track Two Defendants’ Motion to Strike Harold Bean as a Proposed Class Representative <ul style="list-style-type: none"> ▪ May 26, 2006 – Plaintiffs’ Memorandum in Opposition to Motion to Strike Harold Bean as a Proposed Class Representative ○ June 15, 2006 – Defendants’ Individual Memoranda of Law in Opposition to Track 2 Class Certification (<i>individual memorandum</i>)

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p><i>filed by each of the Track 2 Defendants) (Redacted versions filed in last week of June/first week of July 2006)</i></p> <ul style="list-style-type: none"> ○ July 19, 2006 – Plaintiffs' Reply Memorandum in Support of Motion to Certify Claims With Respect to Track 2 Defendants ○ August 4, 2006 – Track Two Proposal Concerning the Appointment of a Neutral Expert to Advise the Court on Track Two Class Certification ○ August 7, 2006 – Plaintiffs' Response to Track Two Proposal Concerning the Appointment of a Neutral Expert to Advise the Court on Track Two Class Certification ○ August 25, 2006 – Track Two Defendants' Memorandum in Opposition to Class Certification ○ August 25, 2006 – Track Two Defendants' Memorandum Regarding Harold Bean, in Further Opposition to Class Certification ○ September 5, 2006 – Plaintiff's Response to Track 2 Defendants' Memorandum Regarding Harold Bean ○ September 7, 2006 – Track Two Defendants' Notice of Supplemental Evidence Relevant to Class Certification ○ September 11, 2006 – Track Two Defendants' Supplemental Filing Regarding the Track Two Defendants' Motion for Leave to File the Rebuttal Declaration of Steven J. Young in Support of Track 2 Defendants' Opposition to Class Certification or, in the Alternative, Motion to Strike the Hartman Track 2 Dyckman Rebuttal, Hartman Track 2 Young Rebuttal and the Rosenthal Rebuttal ○ September 11, 2006 – Track Two Defendants' Notice of Supplemental Authority Relevant to Class Certification ○ October 16, 2006 – Class Plaintiffs' Submission of the "Generics Chart" Pursuant to the Oral Request of the Court During the Class Certification Hearing in Connection with Track 2 (corrected October 17, 2006) ○ December 21, 2006 – Track Two Defendants' Motion to Strike the "Generics Chart" and Proposed Track Two Class Certification Order Submitted by Plaintiffs' in Support of Their Motion for Class Certification ○ July 25, 2007 - Defendant Amgen Inc.'s Supplemental Memorandum in Opposition to Class Certification ○ August 8, 2007 – Class Plaintiffs' Response to Amgen and Watson's Supplemental Opposition to Class Certification ○ August 23, 2007 – Memorandum of Plaintiffs and Class 1 Representatives Harold Carter, Rev. David Aaronson, and Harold

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Bean in Response to Defendant Amgen, Inc.'s Supplemental Memorandum in Opposition to Class Certification</p> <ul style="list-style-type: none"> ○ August 31, 2007 – Plaintiffs' Supplemental Memorandum in Support of Track 2 Class Certification Regarding State Law Issues <ul style="list-style-type: none"> ▪ September 21, 2007 – Individual Memorandum of Aventis Pharmaceuticals Inc. in Opposition to Plaintiffs' Supplemental Memorandum in Support of Track 2 Class Certification Regarding State Law Issues ▪ September 21, 2007 – Response of Defendants Amgen Inc. and Watson Pharmaceuticals, Inc. to Plaintiffs' Supplemental Memorandum in Support of Track 2 Class Certification Regarding State Law Issues ○ September 7, 2007 – Plaintiffs' Submission of Supplemental Authority Relating to Track 2 Class Certification and State Law Issues ○ September 14, 2007 – Watson Pharmaceuticals, Inc.'s Response to Class Plaintiffs' Response to Amgen and Watson's Supplemental Opposition to Class Certification <ul style="list-style-type: none"> ▪ September 27, 2007 – Plaintiffs' Motion for Leave to File Plaintiffs' Rebuttal to Watson Pharmaceuticals, Inc.'s Response to Class Plaintiffs' Response to Amgen's and Watson's Supplemental Opposition to Class Certification ▪ September 28, 2007 – Opposition of Watson Pharmaceuticals, Inc. to Plaintiffs' Motion for Leave to File Rebuttal, or, in the Alternative, Motion for Leave to File Surrebuttal Relating to Class Certification ● June 22, 2006 – Plaintiffs' Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub Filed by Defendant Warrick Pharmaceuticals Corporation <ul style="list-style-type: none"> ○ June 22, 2006 – Plaintiffs' Motion for Leave to File Under Seal Plaintiffs' Memorandum and Exhibit 1 to the Declaration of Steve W. Berman in Support of Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub Filed by Defendant Warrick Pharmaceuticals Corporation ○ July 6, 2006 – Warrick's Memorandum in Opposition to Certain Plaintiffs' Motion to Quash May 18, 2006 Amended Notice of Deposition of Harvey Weintraub and in Support of Cross Motion for Leave to Take Deposition of Harvey Weintraub for Purposes of Preservation of Testimony

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> <li data-bbox="1262 279 1981 474">○ July 20, 2006 – Plaintiffs' Memorandum in Opposition to Warrick Pharmaceuticals Corporation's Cross-Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Preservation of Testimony <li data-bbox="1262 474 1981 507">○ August 3, 2006 – Warrick Pharmaceuticals Corporation's Reply Memorandum in Support of Its Cross Motion for Leave to Take the Deposition of Harvey Weintraub for Purposes of Preservation of Testimony <li data-bbox="1178 535 1981 747">● November 2, 2006 – Defendant Immunex Corporation's Objections to October 23, 2006 Order by Chief Magistrate Judge Bowler Regarding Immunex's Motion for Protective Order Regarding May 17, 2006, Deposition Notice <ul style="list-style-type: none"> <li data-bbox="1284 649 1981 747">○ November 9, 2006 – Plaintiffs' Memorandum In Response to Immunex Corporation's Objections to October 23, 2006 Order by Chief Magistrate Judge Bowler Denying Immunex's Motion for Protective Order <li data-bbox="1178 775 1981 971">● November 6, 2006 – Plaintiffs' Objections to the October 23, 2006 Order by Chief Magistrate Judge Bowler Re: Amgen Inc.'s Motion for Protective Order Relating to Plaintiffs' Rule 30(b)(6) Deposition Notice Regarding Sales and Marketing <ul style="list-style-type: none"> <li data-bbox="1284 889 1981 971">○ November 14, 2006 – Amgen Inc.'s Response to Plaintiffs' Objections to Chief Magistrate Judge Bowler's October 23, 2006 Order Granting Amgen Inc.'s Motion for Protective Order <li data-bbox="1178 998 1981 1194">● February 22, 2007 – Plaintiffs' Objections to February 12, 2007 Order by Magistrate Judge Bowler Granting Defendant Abbott Laboratories' Motion for Protective Order and Motion to Quash Plaintiffs' Third Party Subpoenas <ul style="list-style-type: none"> <li data-bbox="1284 1113 1981 1194">○ March 8, 2007 - Abbott Laboratories Response to Plaintiffs' Objections to February 12, 2007 Order by Magistrate Judge Bowler Granting Defendant Abbott Laboratories' Motion for Protective Order and Motion to Quash Plaintiffs' Third Party Subpoenas <li data-bbox="1284 1224 1981 1321">○ March 23, 2007 – Plaintiffs' Reply Brief in Support of Their Objections to February 12, 2007 Order by Magistrate Judge Bowler Granting Defendant Abbott Laboratories' Motion for Protective Order and Motion to Quash Plaintiffs' Third Party Subpoenas <li data-bbox="1284 1351 1981 1377">○

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<ul style="list-style-type: none"> • March 22, 2007 - Declaration of G. Raymond Pironi, Jr. Regarding Time Expended for Preparing Direct Testimony via Declaration and Traveling from Tampa, Florida to Boston Pursuant to Subpoena to Appear for Trial Testimony and Request for Reimbursement • July 13, 2007 – Notice of Submission to Court of Declaration and Request for Determination of Proprietary Filing Under Seal <ul style="list-style-type: none"> ○ July 27, 2007 – Class Counsel’s Response to the Declaration of Donald E. Haviland, Jr. In Response to Court Directive Concerning AstraZeneca Settlement ○ August 24, 2007 – Declaration of Donald E. Haviland, Jr., in Response to Court Directive Concerning the AstraZeneca Settlement • August 2, 2007 – Track Two Defendants’ Proposed “Road Map” for the Next Phase of Case Preparation, Mediation and Trial <ul style="list-style-type: none"> ○ August 1, 2007 – BMS’ Brief on Pre-Judgment Interest ○ August 1, 2007 – Warrick Pharmaceuticals Corporation’s Memorandum Regarding Class 2 Damages • August 2, 2007 – Class Plaintiffs’ Proposed “Road Map” to Govern Track 2 Proceedings <ul style="list-style-type: none"> ○ August 6, 2007 – Track 2 Defendants’ Response to Plaintiffs’ Proposed “Road Map” for Track 2 Proceedings ○ August 6, 2007 – Watson’s Opposition to Class Plaintiffs’ Proposed “Road Map” • August 30, 2007 – Plaintiffs’ Supplemental Submission Regarding State Consumer Protection Act Pre-Suit Demand Requirements • September 7, 2007 – Warrick Pharmaceuticals Corporation’s Post-Damages Hearing Submission Concerning Liability and Declaratory Relief • November 21, 2007 – Plaintiffs’ Motion to Certify Nationwide Classes 2 and 3 Against AstraZeneca and BMS <ul style="list-style-type: none"> ○ January 4, 2008 – Defendant BMS’s Memorandum of Law in Opposition to Plaintiffs’ Motion to Certify Nationwide Classes 2 and 3 ○ January 4, 2008 – AstraZeneca Pharmaceuticals LP’s Memorandum of Law in Opposition to Plaintiffs’ Motion to Certify Nationwide

PRIVATE CLASS CASES	MDL DOCKET NO.	ORIGINAL JURISDICTION	STATUS
Master Consolidated Class Action (continued)			<p>Classes 2 and 3</p> <ul style="list-style-type: none"> • December 31, 2007 – Motion for Injunction Against Robert J. Swanston and Donald E. Haviland from Pursuing Overlapping Claims and Defendants in Swanston v. TAP Pharmaceutical Products, Inc., et al. <ul style="list-style-type: none"> ◦ January 31, 2008 – Memorandum in Opposition to Defendants’ Motion for Injunction Against Robert J. Swanston and Donald E. Haviland from Pursuing Overlapping Claims and Defendants in Swanston v. TAP Pharmaceutical Products, Inc., et. al. • January 17, 2008 – AstraZeneca Defendants’ Renewed Motion for Injunction